

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35568 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- GOH District- Aurangabad

Kavindra Kumar Son of Jhapsi Ram @ Jhapasi Paswan Resident of Village -
Bhurkunda, P.S.- Goh, District- Aurangabad ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Singh, Advocate

For the Opposite Party : Mr.Anil Prasad Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-08-2019 Heard learned counsel for the petitioners, learned
counsel for the State and perused the case diary.

Petitioners apprehend arrest in a case registered for
the offence punishable under Sections 341/354/506 of the Indian
Penal Code as well as under Section 8 of the POCSO Act.

It is alleged by the informant that the petitioner
arrived at her house and when he knew that her mother was out
of the house and informant was alone, he entered into her house.
He caught her hand and started to pull her with bad intention.
She further alleged that on raising *hulla* he fled away.

Learned counsel for the petitioner submits that on
account of land dispute subsisting between the parties, the
petitioner, who happens to be next door neighbour of the
informant, has falsely been implicated in this case, though he
has got no criminal antecedent. Learned counsel further submits



that on going through section 164 Cr.P.C. statement of the victim it is evident that victim ousted the petitioner from the doors of her house, so no case of molestation or abuse is made out against the petitioner.

Considering the facts of the case, let the petitioner, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I cum Special Judge (POCSO), Aurangabad in Goh Police Station Case No. 41/2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Singh, J)

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